UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MBIA INC.,

Plaintiff, :

Case No. 08 cv 4313 (RMB/DFE)

-against-

UNOPPOSED MOTION TO

ADMIT COUNSEL PRO HAC VICE

FEDERAL INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY,

:

Defendants.

: ------x

PURSUANT TO RULE 1.3(c) of the Local Rules of United States District Courts for the Southern and Eastern Districts of New York, I, Amory Donelly, a member in good standing the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

ROBERT P. JACOBS Howrey LLP 1299 Pennsylvania Ave., NW Washington, DC 20004 202.783.0800 (tel.) 202.383.6610 (fax)

Robert P. Jacobs is a member of good standing of the Bar of the State of Florida and the District of Columbia. There are no pending disciplinary proceedings against Mr. Jacobs in any State or Federal Court.

Dated: New York, New York June 11, 2008

Respectfully submitted,

Amory W. Donelly **HOWREY LLP**

Citigroup Center

153 East 53rd Street, 54th Floor

New York, New York 10022

(212) 896-6500 (tel.)

(914) 462-3280 (fax)

-----x

MBIA INC.,

Plaintiff, Case No. 08 cv 4313 (RMB/DFE)

-against-AFFIDAVIT OF AMORY W. DONELLY

> IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE

FEDERAL INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY,

Defendants.

STATE OF NEW YORK) : ss.

COUNTY OF NEW YORK)

AMORY W. DONELLY, being duly sworn, hereby deposes and says as follows:

- 1. I am associated with Howrey LLP, counsel for plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of plaintiff's motion to admit Robert P. Jacobs as counsel pro hac vice to represent plaintiff in this matter.
- 2. I am a member in good standing of the bar of the State of New York and was admitted to practice law on February 27, 2007. I am also admitted in the United States District Courts for the Southern and Eastern Districts of New York, and am in good standing with these Courts.
- 3. I have known Robert P. Jacobs since 2006.
- 4. Mr. Jacobs is a member of Howrey LLP in Washington D.C.
- 5. He is a member of good standing of the Bars of the State of Florida and the District of Columbia. (See Exhibits A & B annexed hereto).
- 6. I have found Mr. Jacobs to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

- 7. This motion is unopposed. True and accurate copies of emails from opposing counsel consenting to Mr. Jacobs' admission pro hac vice are attached as Exhibits C and D.
- 8. Accordingly, I am pleased to move the admission of Mr. Jacobs, pro hac vice.
- 9. I respectfully submit a proposed order granting the admission of Roberts Jacobs, pro hac vice, which is attached as Exhibit E.

WHEREFORE, I respectfully request that the motion to admit Robert P. Jacobs, pro hac vice, to represented plaintiff in the above-captioned matter be granted.

Dated: New York, New York June 11, 2008

Respectfully submitted,

Amory W. Donelly **HOWREY LLP**

Citigroup Center

153 East 53rd Street, 54th Floor

New York, New York 10022

(212) 896-6500 (tel.)

(914) 462-3280 (fax)

)



The Florida Bar

JOHN F. HARKNESS, JR. EXECUTIVE DIRECTOR

651 East Jefferson Street Tallahassee, Florida 32399-2300

850/561-5600 www.FLORIDABAR.org

State of Florida)

County of Leon

In Re:

780146

Robert Paul Jacobs

Howrey, LLP

1299 Pennsylvania Ave. NW

Washington, DC

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on November 29, 1988.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 16th day of May, 2008.

Willie Mae Shepherd

Supervisor, Membership Records

The Florida Bar

WMS/ssF1:R10



District of Columbia Court of Appeals Committee on Admissions 500 Indiana Avenue, N.W. — Room 4200

Washington, A. C. 20001 202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

ROBERT P. JACOBS

was	on the	e <u>1</u>	1 TH	day of		SEPTE	MBER,	1989				
dul	y qual	lifíe	d and	admit	ted a	s an	attei	rney	and	coun	selor	and
ent.	itled	to	practi	ce bef	ore	this	Court	and	is,	on	the	date
ind	icated	belo	ow, an	active	memb	er in	good	stand	ding	of th	is Ba	r.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on May 15, 2008.

GARLAND PINKSTON, JR., CLERK

By: M. Claude
Deputy C.

Donelly, Amory

From:

Davis, Christine

Sent:

Tuesday, June 10, 2008 3:10 PM

To:

Donelly, Amory

Subject: FW: Consent to file pro hac motions

From: Joaquin, Alan J. [mailto:Alan.Joaquin@dbr.com]

Sent: Tuesday, June 10, 2008 3:09 PM

To: Davis, Christine

Subject: Re: Consent to file pro hac motions

ACE consents.

---- Original Message ----

From: Davis, Christine < DavisChristine@howrey.com>

To: Joaquin, Alan J.; Bonanno, Lisa R. <LRBonanno@HHLAW.com>

Sent: Tue Jun 10 15:06:52 2008

Subject: Consent to file pro hac motions

Alan and Lisa,

As per my voice mail, I am writing to seek your consent to our filing pro hac motions in S.D.N.Y. for Lara Degenhart, Robert Jacobs, and Christine Davis in the MBIA matter. Please respond to this email if you are willing to consent to our filing of these motions.

Thank you.

Regards, Christine

Christine Spinella Davis Howrey LLP 1299 Pennsylvania Avenue, NW Washington, DC 20004 www.howrey.com 202.383.6768 (ph) 202.383.6610 (f) daviscs@howrey.com

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Re: Consent to file pro hac motions Case 1:08-cv-04313-RMB-DFE Document 7 Filed 06/11/2008

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Donelly, Amory

From:

Davis, Christine

Sent:

Wednesday, June 11, 2008 10:10 AM

To:

Donelly, Amory

Cc:

Jacobs, Robert; D'Andrea, Kristin

Subject: FW: Consent to file pro hac motions

From: Bonanno, Lisa R. [mailto:LRBonanno@HHLAW.com]

Sent: Wednesday, June 11, 2008 10:08 AM

To: Davis, Christine; Alan Joaquin

Cc: David J. Hensler; Zaetta, Christopher R. Subject: RE: Consent to file pro hac motions

Christine:

As we discussed, we agree to consent to the filing of your pro hac motions provided that you consent to our filing similar motions. I understand from our discussion that you consent to our filing of pro hac motions in the MBIA matter and we therefore consent to your pro hac motions. Call me if you have any questions. Thank you.

Lisa

From: Davis, Christine [mailto:DavisChristine@howrey.com]

Sent: Tuesday, June 10, 2008 3:07 PM To: alan.joaquin@dbr.com; Bonanno, Lisa R. Subject: Consent to file pro hac motions

Alan and Lisa,

As per my voice mail, I am writing to seek your consent to our filing pro hac motions in S.D.N.Y. for Lara Degenhart, Robert Jacobs, and Christine Davis in the MBIA matter. Please respond to this email if you are willing to consent to our filing of these motions.

Thank you.

Regards, Christine

Christine Spinella Davis Howrey LLP 1299 Pennsylvania Avenue, NW Washington, DC 20004 www.howrey.com 202.383.6768 (ph) 202.383.6610 (f) daviscs@howrey.com

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"EMF <HHLAW.COM>" made the following annotations.

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SOUTHERN DISTRICT OF NEW YORK	x	
MBIA INC.,	:	
Plaintiff,	:	Case No. 08 cv 4313 (RMB/DFE)
-against-	:	ORDER FOR ADMISSION PRO HAC VICE
FEDERAL INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY,	:	ON WRITTEN MOTION
Defendants.	:	
	: x	

Upon the motion of Amory W. Donelly attorney for Plaintiff MBIA INC. and said sponsor attorney's affidavit in support:

IT IS HEREBY ORDERED that

Robert P. Jacobs Howrey LLP 1299 Pennsylvania Ave., NW Washington, DC 20004 202.783.0800 (tel.) 202.383.6610 (fax)

is admitted to practice *pro hac vice* to represent MBIA INC. in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: New York, New York

June ____, 2008

Hon. Douglas F. Eaton

United States Magistrate Judge

The undersigned hereby certifies that a true and accurate copy of the preceding documents was sent in the manner described below to the following attorneys on this th day of June 2008.

David J. Hensler Lisa R. Bonanno Hogan & Hartson LLP Columbia Square 555 Thirteenth Street, NW Washington, DC 20004 202.637.5600 DJHensler@hhlaw.com LRBonanno@hhlaw.com BY REGULAR MAIL Attorneys for Defendant Federal Insurance Company

Alan J. Joaquin Drinker Biddle & Reath LLP 1500 K Street, NW Suite 1100 Washington, DC 20005 202.842.8800 alan.joaquin@dbr.com BY REGULAR MAIL Attorneys for Defendant Ace American Insurance Company